App F IX 4

Previous References 1946 (7 June)

File No 85-46

Serial Nos. 3 4

Later Reference s

C H 5-49 (3,4)

GENERAL AND REVENUE SECRETARIAT

Serial Nos

Part B, for June 47

SUBJECT

Amendment of Rule 16 of the President's and Rule relating to Allowances and Other Remunerable Employees of the Municipality

Allowances & Other Remunerable Employees of the President's Municipality

Report of the Comptroller for the

6775

From the President City Municipal Council Mysore

No. C - 111 / 46-47 dated 13-2-47

States that a sum of Rs 26,147 being the Provident Fund Contribution of the Sweepers and other non-pensionable employees of the Mysore City Municipality has been deposited in the Post-Savings Bank Account which carries very low rate of interest and suggests amendment of Para 16 of the Provident Fund Rules, so as to empower the City Council to invest the above amount in such of the Securities or deposits, as would fetch higher rate of interest.

1) The Comptroller to Govt will be consulted who on the proposed amendment of Section 16 of the Rules regulating the provident Fund Scheme for Sweepers and other non-pensionable employees of Mysore City Municipality

ACCOUNTANT GENERAL'S OFFICE BANGALORE
24 MAR 1947
BOOK-EX

WD 199 dt 28/2/47 2) Immediate necessity exists
46-47 Re 469/pt 24/3/47 (for the Comptroller to the Govt
28-3-47 SPT Law & to impose the favour of remarks
above proposal

6775/F

680/3 4 47

U.O. 52 S P F. dated the 2nd April 1947

Returned with Compliments

3) The Mysore City Municipal Provident Fund Scheme is formed entirely for the benefit of the sweepers and other non-pensionable employees of the Mysore City Municipality The contribution has been deposited in the Government Savings Bank Account, which, no doubt, carries a low rate of interest as 1½% In the circumstances, the amendment of Section 16 of the Provident Fund Rules proposed by the President, City Municipal Council, may perhaps be approved

9603/3/4

3/4

5/4/47

Comptroller

4) The following proposals of the Mysore city Municipal Council which have been agreed to by the Comptroller, to Govt. are for orders

to permit the Mysore city Municipal Council to invest the Municipal provident Fund amount in such of the Securities or Debentures or Savings certificates, as may be resolved by the Municipal Council from time to time, with the approval of Govt.

and

2) to amend Rule 16 of the provident Fund Rules, by adding a proviso, enabling the Council to invest the Funds in good Securities, yielding more interest

5) The Finance Dept. has to be consulted

Revised 8/5/47

2769/1/4

6775
2

6 For favour of remarks
For Secy
W C
11/4
11/4/49

C.I. 7089 12/4
E.A.D.

Mere attractiveness in the rate of interest should not be the Sole Criterion as regards investment There is a certain thing which may perhaps be best described by the word "Appropriateness" There is also the Safety of the capital consistent with these two for the present, the rate of interest may be judged and the present proposal considered

8 Since British Indian municipalities do not invest in our funds, we may try and see whether there are open for us no other avenues of investment I am for various reasons not in favour of investing these moneys in govt of India certificates one reason I shall give is that our money may remain with us to assist our trade and resource operations

I am also not in favour of investing these moneys in deposits in Cooperative Societies The Sound working of any Society depends on the upright and honest character of its governing body and people with these qualities can never remain long in that body if ever they succeed in getting there As in my opinion, full Safety for these funds are lacking in these deposits I am against Such deposit

10 The proposal to invest in the govt Saving certificates may be approved So may also the advances for house building and purchase, though here I would like charges — perhaps baseless — of favouritism and partiality The rules for these advances may follow those in the M C A C Vol I as regards advances by govt for the Same purposes

11 I have no objection to the p

posed amendment to Rule 16, in conformity with what I have stated above

(Rev Secy wpc) 13/4/47

no 7089 HL

1574

Submitted for orders

1. Under Rule 16 of the Rules relating to the Provident Fund Scheme, the provident fund amount of the Municipal employees has to be deposited in the nearest Government Treasury

2) The proposal of the Mysore City Municipal Council is to invest the said amount in the following securities -

1) Govt of India Savings Certificates
2) Mysore Govt Savings Certificates
3) Advance on House building and purchasing
4) Deposits to Municipal Co-operative Societies

3) The Financial Secretary to Govt has suggested investment on securities 2 and 3 supra and to amend Rule 16, accordingly This is for orders

6775

4485

15) The Law Secty may also be consulted if the addition to rule 16 of the Mysore Civil Municipal Provident Fund Rules as proposed by the Mcl would be in order. We do not see any objection to the addition, subject to such modifications as may be considered necessary.

24/4/47

16 For favour of remarks

Law Secy
W C

27/4

Returned

Fr 28/4

6552
28 APR

(b) Rule 16 of the Rules regulating the Provident Fund Scheme for the sweepers and other non-pensionable employees of the Mysore City Municipality is sought to be amended by adding another rule -- Rule 16 (a) - - empowering the Municipal Council (with the sanction of Government) to invest the Provident Fund amount in other securities so as to yield a better rate of interest

(7) The amendment is intra-vires of the powers of the Municipal Council under Sec 49(g) of the City Municipalities Act Regarding the propriety or otherwise of such investments, it is a matter for the Administrative Secretariat to decide

8111
3 MAY 1947
GOVT OF MYSORE

Law Secy)
Rev Secy
WC) 18

for 3/5
SR
5/5
fr 5/5
fr 3/5 Secy

67755

16) The proposal in para 14 supra is for orders

7/5 20) The proposal of the Mission cit at 1 cl to amend rule 16 of the Recruitment and Promotion Rules relating to the sweepers and the supervisory employees of Improvement Trust which has been agreed to by the Chairman of the Improvement Trust subject to certain modifications may be approved vide reference 16 supra

Rec secy 10/5/65

21) Above may be approved subject to the modifications suggested by the Financial Secretary

Chairman for
Secy to Govt (W)
12/5

12/5

20/5/65

12/5

22 Dft for

23

OFFICE OF THE ACCOUNTANT
IMPROVEMENT TRUST
Date 12/5
No. 7292

6775

2y Sealed with a diaphragm

TYP[illegible]
29 MAY 1947
[illegible]

Asst. Mgr.
Comptroller
6644 d 3-6-47
Sanctions

Mr 85-46-3 6775

Office of the President
City Municipal Council Mysore

No Mge - 111 46-7 encl 2
Encl

Dtd 13th February 47

From

R Ramachandra Rao Bhombore Esq B A
President City Municipal Council
MYSORE

17/2/47

REVENUE SECRETARY * GOVERNMENT OF MYSORE *

To

The Secretary to Government,
Revenue Department,
Bangalore

Sir,

I have the honour to state that in pursuance of the Rules regulating the Provident Fund Scheme for the sweepers and other non-pensionable employees of the Mysore City Municipality, which is in force in the Municipality, there is a balance of Rs 26,147/- at present at the credit and the same is placed in the Government Savings Bank Account in the District Treasury, It fetches a very low rate of interest The Provident Fund Sub Committee who examined this question at their last meeting held on the 14th December 1946 resolved that the amount may be invested in any of the marginally noted forms so as to yield a better rate of interest, not less than 4 per cent

1 Govt of India Savings Certificates
2 Mysore Govt Savings certificates
3 Advance on House Building & purchasing
4.Deposits to Municipal Cooperative Society

The subject came before the Council at their last Meeting held on 5th February 1947 and they resolved that out of the funds a sum of Rs 10000/- be invested in the Government of India Savings Certifica and Rs 15000/- in the Mysore Government Savings Certificates But as the rule 16 of the rules relating to the Provident Fund Scheme, as at present, does not permit investment in any manner other than provided in the "Mysore City Municipal Provident Fund Investment", to be deposited in the nearest Treasury etc , the Council have also resolved that the rule be suitably modified by adding a proviso to Rule 16 as noted in the margin enabling the council to invest the Funds in good securities yielding more interest

16-a The Municipal Council however shall have the power and make necessary investment from the Mysore City Municipal Provident Fund investment in such of the securities or deposits or savings certificates as may be resolved by the Council from time to time with the approval of Government.

In enclosing the copy of the resolution of the Municipal Council in this

behalf, I request you kindly to obtain sanction of the Government to the inclusion of the proviso as 16(a) to the Provident Fund Scheme Rules, a copy of which is enclosed for ready reference.

I have the honour to be,
Sir,
Your most obedient servant,

RCI

- PRESIDENT

Proceedings of the Adjourned General Meeting of the Municipal Council held on Wednesday the 5th February 1947 at 4 P M , in the Municipal Offices

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PRESENT

1 R Ramachandra Rao Bhombore Esq , B A , - President
2 T Venkataramaniah Esq
3 P Sitharamaiah Esq ,B A B L
4 A Krishnamurthy Rao Esq
5 A N Suryanarayana Rao Esq
6 Dr B S Suryanarayana Rao,
7 Chowdiah Esq
8 P Gopalakrishnasetty Esq B A B L
9 V N Dasappa Esq
10 B Narayanaswamy Esq ,B A B L
11 Sri M R Lakshmamma M A ,
12 Agaram Rangiah Esq
13 T Mariappa Esq ,B A LL B ,
14 G R Rangaswamiah Esq ,
15 M S Nanjappa Esq ,
16 H Thammaiah Esq
17 K Puttaswamy Esq ,B A (Hons)LL B ,
18 Mohamed Sait Esq ,
19 Mir Noor Hussain Esq ,M A LL B

ABSENT

20 Sri M N Sithamma M A
21 U L Ramachandra Rao Esq (with permission)
22 T Narasimha Iyengar Esq ,B A B L
23 S Linganna Esq ,(with permission)
24 K Siddiah Esq (with permission)
25 F C Devaraj Urs Esq ,(With permission)
26 E P Nanjappa Esq ,
27 T Chandrasekhara Gowda Esq L E E
28 B K Rajasekhariah Esq
29 A Venkatesiah Esq B A LL B ,
30 T S Alikhan Esq
31 W H Theobald Esq

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Deferred subject No 589 -Municipal Provident fund committee resolution No 26/14-12-46 recommending for council sanction to the investment of Rs 25,000/- at the credit in one of the following ways to yield not less than 4% interest

1 Government of India Savings Certificates
2 Mysore Government Savings certificates
3 Advance for House Building and purchasing
4 Deposits to Municipal Cooperative Societies

Resolved that Rule 16 of the Rules regulating the Provident Fund Scheme for the sweepers and other non-pensionable employees of the Mysore city Municipality be amended by adding a proviso as follows -

"The Municipal Council however shall have the power to draw and make necessary investment from the Mysore city Municipal Provident Fund Investment in such of the securities or deposits or Savings certificates as may be resolved by the Council from time to time with the approval of the Government

"Resolved further that after the rules is amended as above, a sum of Rs 10000/- be invested in the Government of India Savings ceftificates and Rs 15000/- in the Mysore Government Savings certificates The above Investments to be made directly by the President "

p t o

Moved by Mr P Sitharamaiah
Seconded by Mr B Narayanaswamy
Carried

sd/-R Ramachandra Rao Bhonbore
PRESIDENT

"Copy"

RCI PRESIDENT

RULES REGULATING THE PROVIDENT FUND SCHEME FOR THE SWEEPERS AND OTHER NON PENSIONABLE EMPLOYEES OF THE MYSORE CITY MUNICIPALITY

1 These rules may be called the Mysore City Municipal Provident Fund Rules

2 In these rules unless there be something repugnant in the subject or context

(*a*) The Fund means 'The Mysore City Municipal non pensionable Employees Provident Fund sanctioned in Government Order No Dated and it shall be made up of subscriptions from the members thereof contributions by the Municipality and all interest accruing thereon credited and accrued, and such other amounts as may from time to time be credited to this account

(*b*) Member means and includes every wholetime employee of the Municipality declared to be entitled to the benefits of and permitted to subscribe to the Fund

(*c*) Municipality means the Mysore City Municipality

(*d*) Committee means the Committee constituted under rule 18 *infra* for the purpose of administering the fund

(*e*) Salary includes in addition to substantive pay the acting and personal allowances but not house rent tentage T A whether daily or monthly or yearly duty or deputation or overtime allowances

(*f*) Employee means and includes every sweeper scavenger or other whole time or other employee employed by the Municipality who is not entitled to any pension and to whom the benefit of the fund may in accordance with he e rules be declared as applicable by the Committee but shall not include those who are merely employed on probation or whose salary is paid on commission basis

3 Every person employed by the Municipality as a wholetime sweeper, scavenger or such other wholetime servant who being not eligible under the existing rules to pension may be declared to be eligible to the benefits of these rules shall as a condition of his service, become a member of the Fund and shall continue to be so till the date of the termination of his service under rule 8 (a) or (b) *infra* provided that no person who has not put in one year of approved service shall be entitled to become a member

4 No member shall be allowed to withdraw any portion of the Fund at his credit while he is in service

5 Commencing from the date these rules are brought into force every member shall subscribe to the Fund by authorising in writing deduction from his salary every month of a sum equal to one anna in each rupee of pay drawn by him subject to a minimum of four annas fractions of an anna being rounded to the nearest anna fractions below six pies being omitted and half annas and above being reckoned as one anna

6 The Municipality shall contribute on behalf of each subscriber to the Fund a sum equal to one half of his contribution fractions of an anna being rounded to the neares anna as under 5 *supra*

7 On the 1st July of the year following the date from which these rules are brought into force and thereafter on the 1st July every year interest at the rate allowed on Government Savings Bank Deposits or such other rate as may be approved by Government shall be allowed on each employee s subscriptions as also on the contributions made thereto by the Municipality

8 The provident fund at the credit of a member including the contributions made on his behalf by the Municipality becomes due and payable in full to the member

(*a*) When he is discharged due on the score of ill health incapacitation or superannuation or permitted to retire after rendering 30 years of approved service provided the ill health or his being incapacitated is not due to his own *misconduct* or negligence and provided also that the Committee may withhold or reduce the Municipal contribution in case the ill health or incapacity is due to the misconduct or negl ge ce or intemporate habits of the member himself

(*b*) When his service are terminated on account of reduction in establishment

(*c*) When a member is dismiss d or his services are dispensed with for any reason except as provided for in these rules he will be paid the full amount subscribed for by him together with any interest due thereon But he will not be entitled to any portion of the Municipality s contribution or the interest of the same

(*d*) No member shall be allowed to contribute to the Fund during the period he i placed under suspension from service or is absent on leave without allowance s nor shall any contribution be made by the Municipality for such periods of suspension or leave

9 In the event of a member s d ath before the fund at his credit has been paid to him it shall at any time after the period of six weeks has elapsed from the date of his death become payable to —

(*a*) his registered nominee or nominees or

( ) his legal heirs in case no such nomination has been made

In cases of payment to the nominee registered as such in the books of the Municipality the claim shall be deemed to be fully discharged as against any oth r person whatsoever and shall exonerate the Co mitt e from all claims

Provided that the Committee may withold or reduce the Municipal contribution to any extent in cases were the death is caused by the misconduct or negligence or intemperate habits of the member himself

10 Every member shall at the time of his commencing to subscribe to the fund nominate (in the form annexed to these rules) a mem er or member of his or her family to whom the amount standing to the credit of his or her account shall be payable in the event of his or her death and may from time to time revoke such nominations and make a fresh nomination with the approval of the Committee

Provided that in case more than one person is nominated the apportion in which the amount is to be divided should also be specified and where any nominee is a minor a guardian who may receive money on behalf of the minor shall also be named

Note — Family for the purpose of the above rule means and includes a member s wife or husband if a famale member his or her legitimate children father and mother dependant upon him or her for support

11 No nomination not made in accordance with rule 10 shall be recognised by the Committee

12 *a*) No advance or loan shall be granted for any purpose whatsoever on the security of the Provident Fund No member shall be entitled to transfer or assign whether by way of security or otherwise or in any other manner whatsoever his share or interest in the funds or any part thereof Any such transfer or assignment shall not be valid and the Committee shall not recognise or be bound by notice of any such transfer or assignment

(*b*) No creditor of the member other than the Municipality shall have any claim to or over any part of the amount of his Fund

13 Notwithstanding anything contained in any of the above rules the Municipality shall have the first lien on the provident fund of any member for any money whatsoever due to the Municipality from such member

14 The Municipality reserves itself the power to alter rescind add or modify with the previous approval of Government from time to time all or any of these rules and all amendments or alterations so made shall be binding on all the members

1 f any member resigns from service he will not be entitled to the Municipal contribution of the fund and in case of reemployment shall be considered to have begun service afresh and the benefit of these rules shall not extend to the previous period of his service unless it is otherwise decided by the Municipal Council

Provided that the Municipal Council may at its discretion order payment of the whole or any part of the Municipal contribution ordinarily liable to be forfeited under these rules

(*a*) On the termination of the services of a member due to death or other causes provided for in these rules his provident fund accounts shall be closed and a notice given to the member or his heirs or representative in writing stating the amount at his credit and interest on the balance at credit of a member whese account has been closed shall cease to accrue from the date of such written notice Unless the amount at his credit be arranged to be drawn by him or by his heirs or representatives within three year or such other period the Committee may fix from the date of the written notice the amount shall become Lapsed and shall thereupon be withdrawn from the Provident Fund account and credited to the Municipal Fund as a Miscellaneous Receipt provided that the Committee shall have power to refund the amount with the sanction of the Municipal Council to the member or his representatives entitled to receive it under the rules on an application therefor being made at any time thereafter On an amount being thus withdrawn from the Provident Fund account it shall be entered in a Lapsed

Account Register in which subsequent repayments shall be noted to avoid double payment

(b) If any dispute at any time arises between the Committee on the one hand and any member or his heir or representative on the other hand regarding these rules or the interpretation thereof or any matter arising thereon or connected therewith an appeal shall lie to the Municipal Council whose decision shall be final

16 The subscription recovered each month by deduction from the pay of the members in accordance with the above rules shall be paid by the Municipal Council along with its own contribution into the nearest Government Treasury with which the Municipality banks by means of a crossed cheque drawn in favour of the Treasury Officer, for being credited by necessary adjustment to a single Savings Bank Account specially opened therefor In order that the transaction of the fund may be incorporated in the Cash Accounts of the Municipality and the total amount at credit of the Fund on any date may be readily ascertained the amount so paid shall be adjusted in the accounts of the Municipality by credit to a distinct head styled The Mysore City Municipal Provident Fund and per contra debit to another distinct head The Mysore City Municipal Provident Fund Investment opened on the receipt and payment sides respectively under the Public Debt Heads All interests realised every year on the Savings Bank Accounts and reinvested should be similarly adjusted in the accounts The amount at credit of this account shall not form part of the Municipal Cash Balance and shall not be utilised for any purpose other than those provided for by these rules

17 The President of the Municipal Council will issue separate pass books to each member in which he will note under his initials with date the amount of subscription recovered by deduction from the pay bill the amount of contribution allowed by the Municipality and the interest accrued thereon annually A concurrent audit of the accounts maintained by the Committee may be conducted by the staff deputed by the Comptroller when the correctness of the individual accounts and their agreement with the deposit account in the Savings Bank will be scrutinised

18 The administration of the fund shall vest in a committee consisting of the President of the Municipal Council the Health Officer and 3 members elected annually by the Municipal Council from among themselves

19 As soon as possible after the close of each official year a statment of each member's account made up till the end of the preceding year shall be prepared and intimated to him The statement shall be taken as correct and true and shall be binding on the member unless error therein is brought to the notice of the committee within one month of the date of its presentation and got rectified

WD 05731—GPI—100—13 4 44

G R S App I VI—G 2]

SUBJECT

Diary No of letter replied to

General and Revenue Secretariat

( )

the *194*

Section ML

File No 85-46

Serial No 4

Proceedings of the Government of His Highness the Maharaja of Mysore

Date of issue 3/6/... 194

Signed by Cor R Nagaraj

Rules regulating Provident Fund Scheme for the sweepers & non-pensionable other employees of the Mysore City Municipality

May this be

( ) printed ?

( ) treated as a Standing Order ?

(iii) published in the Gazette English Part ?

(iv) translated ?

(v) placed at the disposal of the Press ?

(iv) published in the Gazette Kannada Part ?

Read—

2 Letter No M S-C-111/46-7 dated 13-2-47 from the President City Municipal Council Mysore stating that a sum of Rs 26,147 being the Provident Fund Contribution of the Sweepers and other non-pensionable employees of the Mysore City Municipality has been deposited in the Govt Savings Bank Account which carries a very low rate of interest and requesting sanction to the resolution dated 5-2-47 of the City Municipal Council in regard to the amendment of para 16 of the Provident Fund Rules for the Sweepers and other non-pensionable employees of the Mysore City Municipality

So as

to empower the City Municipal Council to invest the above amount in such of the Securities or deposits, as would fetch a higher rate of interest

~~Order No~~ dt

By two Note No 32 F-5 P 7 dated 2-4-47 from the Comptroller to Government his opinion on the subject

~~Lr. T 6644-5~~ Mt 65-46-4 | d 7/6/47
order No

The Provident of the Mysore City Municipal Council to amend Rule 16 of the Provident Fund Rules relating to the Sweepers and other non-pensionable employees of the Mysore City Municipality is approved, subject to the condition that the amount is invested in any of the ~~Municipality~~ Government Securities only

amounts
These will be remitted in the Provident Fund Rules

for Revenue Secy

The President-Mysore City Municipal Council

Comptroller ~~to~~ for

List of Enclosures

1) Mysore Government Savings Certificates
2) Advance for House building and purchase

Copied by

Examined by

C The rules for these advances may follow those in the Mysore City Account Code (Vol I) as regards advances by Govt for the same purposes

WD 04162—GPB—50 000—23-10-41

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS

THE MAHARAJA OF MYSORE

Read -

Rules regulating the Provident Fund Scheme for the sweepers and other non-pensionable employees of the Mysore City Municipality.

2 Letter No.M.5 C.111/45-47 dated 13th February 1947 from the President, City Municipal Council, Mysore, stating that a sum of Rs 26,147 being the Provident Fund contribution of the sweepers and other non-pensionable ~~xxx~~ employees of the Mysore City Municipality has been deposited in the Government Savings bank Account,

which carries a very low rate of interest and requesting sanction to the resolution dated 5th February 1947 of the City Municipal Council in regard to the amendment of para 16 of the Provident Fund Rules, for the sweepers and other non-pensionable employees of the Mysore City Municipality, so as to empower the City Municipal Council to invest the above amount in such of the securities or deposits, as would fetch a ~~higher~~ higher rate of interest.

3. U.O. Note No.32 S F.F. dated 2nd April 1947 from the Comptroller to Government furnishing his opinion on the subject

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Order No. H. 16644-5 M | 85-46-4 | 3rd June 1947

Bangalore, Dated, ~~May 1947.~~

The proposal of the Mysore City Municipal Council to amend ~~Rule 16 of the Provident Fund Rules 16 of the Provident Fund Rules~~ relating to the sweepers and other non-pensionable employees of the Mysore City Municipality referred to above is approved, subject to the condition that the amount is invested in any of the marginally noted securities only

1 Mysore Government Savings Certificates
2. Advance for house building and purchases (The rules for these advances may follow those in the Mysore Civil Account Code Vol I as regards advances by Government for the same purposes)

These amendments will be incorporated in the Provident Fund Rule

Ramachandra

For Revenue Secretary to Government.

To — The President, Mysore City Municipal Council,
" Comptroller to Government.

ACA/3